

REMARKS

The examiner has indicated the allowance or essential allowability of claim 16, 17, 19, 26, 39, 40, 49 and 55. It is respectfully submitted that all claims are allowable at least for the following reasons.

All of the rejections are hinged solely or primarily on Schultz, US 2004/0224003. The examiner asserts this reference based on the filing date of provisional application serial number 60/446,318 which was filed on February 7, 2003. The examiner asserts the reference under 35 U.S.C. § 102(e) alone or in combination with § 103. However, this ignores the earliest priority date of the above-identified application based on German Application No. 10244847.7 of September 20, 2002 which antedates the earliest possible effective date of Schultz as a prior art reference.

Being filed herewith is a certified English translation of German Patent Application 10244847.7 of September 20, 2002 in order to complete formal requirements for the grant of the respective priority date to all claims of this application. As a result, it can be seen that all rejections must be withdrawn.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

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